

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MANUEL ACOSTA, on Behalf of Himself
and All Other Similarly Situated Individuals;

Plaintiff,

v.

TYSON FOODS, INC.,

Defendant.

8:08CV86

JUDGMENT

Pursuant to the Memorandum and Order entered this date and the court's earlier Orders, see [Filing Nos. 330](#), [316](#), [311](#), and [301](#),

1. Judgment is entered in favor of the plaintiff class and against defendant for compensatory damages in the amount of \$6,258,329.74; judgment is entered in favor of the plaintiff class and against defendant for liquidated damages in the amount of \$12,516,659.48, for a total award of \$18,774,989.22, plus interest at the legal rate from and after May 31, 2013, and costs and attorney fees in an amount to be later determined by the court.

2. Pursuant to the stipulation of the parties ([Filing No. 301](#)), the court retains jurisdiction of the attorney fees issue.¹

DATED this 30th day of January, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge

¹ The court found that the plaintiffs are entitled to attorney fees and costs, see [Filing No. 311](#), Mem. & Order at 49, but postponed submission and briefing on attorney fees pending any appeal, pursuant to stipulation of the parties. [Filing No. 301](#). "The pendency of a ruling on an award for fees and costs does not prevent, as a general rule, the merits judgment from becoming final for purposes of appeal." *Ray Haluch Gravel Co. v. Central Pension Fund of Int'l Union of Operating Eng'rs and Participating Emp'rs*, 134 S. Ct. 773, 777 (2014)